

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
CINCINNATI DIVISION

**HUNTER DOSTER, *et al.*,**

*Plaintiffs,*

v.

**FRANK KENDALL, *et al.*,**

*Defendants.*

No. 1:22-cv-00084  
Hon. Matthew W. McFarland

**DEFENDANTS' MOTION FOR LEAVE TO FILE EXCESS PAGES**

Pursuant to Local Rule 7.2(a)(3) and this Court's Standing Order Regarding Procedures in Civil Cases, Defendants respectfully move for a six-page expansion for their opposition to Plaintiffs' motion for interim fees and costs, Doc. 129. The parties have conferred, and Plaintiffs have indicated that they oppose the relief requested herein. In support of this motion Defendants represent the following:

1. On May 1, 2024, Plaintiffs filed their motion for interim fees and costs. Doc. 129. Plaintiffs seek \$1.9 million in interim fees and costs for 14 legal professionals across three different law firms. The brief in support of Plaintiffs' motion is 19 pages, and the motion attaches an additional 49 pages of declarations. The motion also attaches 109 pages of billing records. Plaintiffs themselves characterize Siri & Glimstad's 38 pages of billing records as "produced in extraordinarily small font, single-spaced," which "could have spanned 100 pages" "had they been produced in a more reader-friendly format." Pls.' Mot. for Interim Fees, Doc. 129 at PageID 6017–18 (quoting Decl. of Jason Kuhlman, Doc. 129-1 at PageID 6032 ¶ 23).
2. Defendants intend to contest multiple aspects of Plaintiffs' motion, including: whether Plaintiffs are prevailing parties; whether Plaintiffs' claimed hourly rates are reasonable; whether

Plaintiffs' claimed hours are reasonable; and whether Plaintiffs' claimed costs are reasonable. Indeed, Defendants plan to argue that Plaintiffs' claimed hours include at least six categories of work that are not compensable under established authority. Defendants expect these arguments will comprise a total of 25 pages, and Defendants seek one additional page in which to provide a summary of the principal arguments and citations to the primary authorities relied upon. *See* S.D. Ohio Civ. R. 7.2(a)(3); Standing Order Regarding Procedures in Civil Cases, McFarland, J., at 8.

3. Given the significant monetary amount in fees and costs that Plaintiffs seek, the extensive billing records that Defendants must excerpt and explain, the many different legal professionals and law firms that Defendants must discuss, and the multiple issues that Defendants contest, the additional pages will allow Defendants to provide a complete analysis. Defendants respectfully submit that this Court would benefit from a fuller analysis of the issues presented, including samples of improper billing from Plaintiffs' billing records. The interests of justice will therefore be served by the requested extension.

Accordingly, Defendants respectfully request that this Court extend the page limit for Defendants' opposition to Plaintiffs' motion for fees by six pages.

Dated: June 11, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 11, 2024, I electronically filed the foregoing paper with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Cassandra M. Snyder  
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